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July 3, 2003

Lisa Hanf, Chief
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U. S. Environmental Protection Agency
75 Hawthorne St.
San Francisco, CA 94105-3901

Attn: Nancy Levin, Erin Foresman, Tim Vendlinsky, John Kemmerer

Dear Ms. Hanf:

Caltrans and the Federal Highway Administration (FHWA) respectfully request your concurrence on the Least Environmentally Damaging Practicable Alternative (LEDPA) for the Lincoln Bypass project. Pursuant to a June 17, 2003 letter from Jody Lonergan, Caltrans District Director, to Wayne Nastri, EPA Regional Administrator, and the June 20, 2003 Final Indirect and Cumulative Impact Analysis prepared by Caltrans for this project, Caltrans and FHWA propose that the D 13 North Modified Alternative with Conservation Easements be presented as the LEDPA. Last week, EPA staff requested a subsequent letter that would consolidate and clarify the project information and Caltrans commitments provided previously. This letter summarizes the LEDPA and provides a current project description.

Least Environmentally Damaging Practicable Alternative (LEDPA)

Caltrans and FHWA propose that the D 13 North Modified alternative is the LEDPA. As you can see on the table below, the impacts to vernal pools and wetlands are relatively comparable for all the alternatives.

Table 1 Impacts to Key Resources

	AAC2 Alternative	A5C1 Alternative	D1 Alternative	D13 Alternative	D13 South Modification Alternative	D13 North Modification Alternative
Jurisdictional Waters ¹	6.23 ha (15.4 acres)	7.85 ha (19.4 acres)	5.30 ha (13.1 acres)	4.73 ha (11.7 acres)	5.91 ha (14.6 acres)	5.50 ha (13.6 acres)
Vernal Pools and Swales	3.80 ha (9.4 acres)	4.65 ha (11.5 acres)	2.43 ha (6.0 acres)	2.14 ha (5.3 acres)	3.28 ha (8.1 acres)	2.23 ha (5.5 acres)
Riparian and Oak Habitats	11.21 ha (27.7 acres)	8.17 ha (20.2 acres)	1.54 ha (3.8 acres)	4.45 ha (11.0 acres)	1.17 ha (2.9 acres)	4.45 ha (11.0 acres)
Socioeconomic	469 residences	461 residences	20 residences	10 residences	10 residences	18 residences

¹ Includes areas meeting Corps criteria as wetlands and non-wetland waters of the U.S.

What is not shown on this table is the quality of vernal pools impacted by each alternative. The A5C1 and AAC2 alternatives would impact higher quality vernal pools than the D alternatives. The AC alternative would go through the Foskett Ranch area and take out those resources currently being protected in two environmental preserves.

In addition, the AC alternatives have a much greater community impact than the D alternatives. During the ten years between concurrence on the "range of alternatives" and the present, growth in Lincoln has continued. Several developments have been approved or are already built within the AC alignment. A recent count of residences affected by the project shows that the A5C1 alternative impacts 461 residences and the AAC2 alternative impacts 469 residences. The AC alternatives would split established communities as well as recently constructed communities such as the Foskett Ranch and run adjacent to a proposed elementary school, separating it from the communities it would serve on the other side of the highway. The potential community impacts and enormous costs associated with purchasing right of way and relocating hundreds of residents along either of the "A" alignments would effectively render these two alternatives as impracticable and preclude them from further consideration as the LEDPA. From prior meetings and discussions, Caltrans understands that EPA and Corps agree on this point.

In contrast, the D 13 North Modified alternative would not divide any existing communities. Although the D 13 North Modified alternative would result in impacts to other resources, as would the AC alternative, the overall impacts to resources and socioeconomic factors would be less damaging.

All of the alternatives except the D 13 North Modified require acquisition of property that is under the Wetlands Conservation Easement in the Wetlands Reserve Program. Acquisition of this property would require lengthy legal concerns and is not a guaranteed success. This would not be a prudent use of the public funds. While the cumulative and indirect impacts of the project are similar for all the alternatives originally considered, the D 13 North Modified Alternative with Conservation Easements would have fewer potential indirect affects to aquatic resources than the other "D" alternatives.

As indicated by both the City and County's general plans, it is apparent that the future land use of the area affected by the bypass has been established regardless of the location of the bypass. Both the city planners and most of the residents of Lincoln are overwhelmingly in favor of the D 13 alternatives and opposed to the AAC2 and A5C1 alternatives. The D 13 Bypass has been a part of the Lincoln General Plan since 1998 and recent residential and other developments have been approved or constructed on that basis.

Project Description for the D 13 North Modified Alternative With Conservation Easements
The Draft Environmental Impact Report/Draft Environmental Impact Statement (DEIR/S) for the State Route (SR) 65 Lincoln Bypass Project evaluates the ultimate project, which includes a four-lane freeway with interchanges at Industrial Avenue, Nelson Lane, Wise Road and Riosa Road. There will be an overcrossing at Nicolaus Road and an

undercrossing at Dowd Road, neither of which will have access to the freeway. A cul-de-sac will be constructed at Moore Road, eliminating access to the freeway from Moore Road.

Due to funding constraints, the ultimate project cannot be built immediately and revisions may be necessary if funding changes. A minimum project will now be constructed following the completion and approval of the Final EIR/EIS and permit approvals. Final engineering design, preparation of plans, specifications and estimates and right of way acquisition follow the environmental approval process before advertising and awarding of a construction contract occurs. Funding availability will dictate the progress of future construction for the ultimate project. Initially, four lanes will be constructed from the beginning of the project near Industrial Avenue up to Nelson Lane. From that point on to where the Bypass would re-join existing SR 65 near Sheridan, only two lanes will be constructed, with the earthwork for the entire four-lane footprint being laid down.

An overcrossing at Nicolaus Road and an undercrossing at Dowd Road will be built during the initial construction. Due to the rising costs of right-of-way, purchase for the ultimate four-lane freeway project will be acquired during the first phase.

Due to the passage of time there will likely be a need to periodically reconfirm the project's environmental approvals before the ultimate project is constructed. The future interchanges at Nelson Lane, Wise Road and Riosa Road and the addition of lanes will have additional environmental documentation that may tier off this Environmental Document.

The first phase of the proposed project includes construction of an at-grade intersection at Nelson Lane and Wise Road. As the need arises and funding allows, interchanges would be constructed. At the north end of the Bypass project, Riosa Road would have an at-grade intersection for the first phase of the project and later an interchange as traffic volumes warrant and funding becomes available.

As outlined in the June 20, 2003 Impact Analysis, several options were considered to avoid potential indirect/secondary impacts stemming from the intersection and later, an interchange at Wise Road, to nearby aquatic resources; specifically the Coon Creek watershed. These options ranged from an initial overcrossing at Wise Road, establishment of a Floodplain Easement to the east of Wise Road, purchase of conservation easements on the four quadrants of the Wise Road/ Bypass Intersection, eliminating the proposed undercrossing at Dowd Road to accommodate an initial overcrossing at Wise Road, purchase Conservation Easements within the Coon Creek watershed in the two-mile radius of Wise Road, or purchase of Conservation Easements along the Coon Creek Watershed Corridor.

Following subsequent discussions between Caltrans, EPA, Corps and FHWA, Caltrans committed in a letter from District Director Jody Lonergan to EPA Regional Administrator Wayne Nastri to acquiring conservation easements in the Coon Creek watershed/floodplain

equivalent to the approximate cost of constructing the overcrossing structure, approximately \$3.9 million.

The conservation easements, now included as part of the project description, would demonstrate avoidance of potential indirect effects to aquatic resources that might otherwise be attributable to provision of access at the Wise Road intersection. An acquisition strategy will be included in the project description and outlined in the Final EIR/S.

As final engineering design progresses, Caltrans will continue to look for opportunities for further avoidance or minimization of impacts to natural resources, such as a potential floodplain easement at Wise Road outlined in the Final Indirect and Cumulative Impact Analysis.

Caltrans, FHWA, the City of Lincoln, Placer County and the Placer County Transportation Planning Agency would all appreciate your prompt consideration of this supplemental information, and concurrence on the proposed LEDPA for this vital and much-needed transportation project. If you have any questions please contact me at (530) 741-4277, or Karen McWilliams at (916) 274-0631. Thank you for your cooperation on this challenging project.

Sincerely,



JOHN D WEBB
Acting Chief, North Region
Environmental

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